

Applicant: Hubbell/Wilson Trust

Agent: M2 Realty

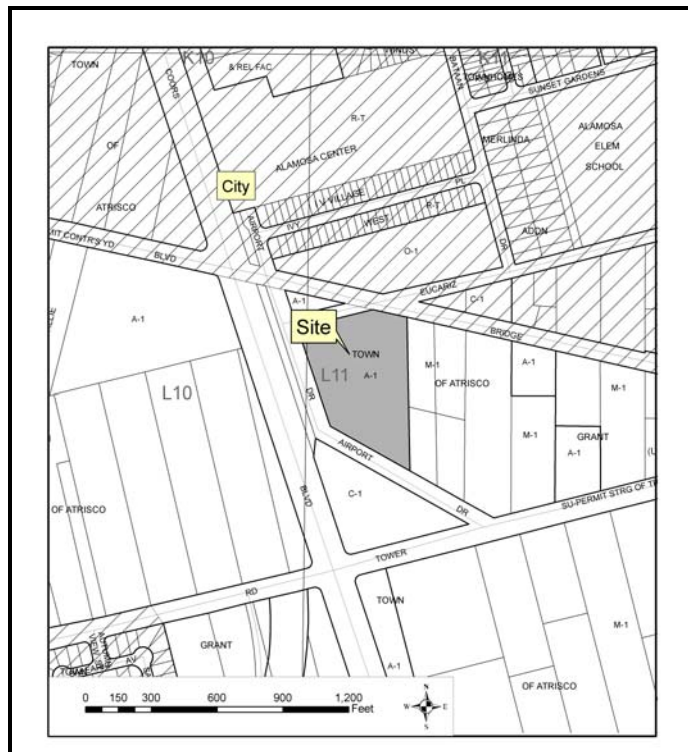
Location: SE corner of Bridge and Coors SW, Tract 311, Unit 3, Atrisco Grant

Property Size: 5.81 acres

Existing Zone: A-1

Proposed Request: C-1

Recommendation: Approval



Summary: The applicant is requesting a zone map amendment from A-1 to C-1 for approximately a 5.81 acre parcel of land located on the southeast corner of Coors Boulevard and Bridge Boulevard. The applicant anticipates the development of a commercial facility at this site. The site is currently vacant and contiguous to M-1 zoning on the east and separated by Airport Road with C-1 zoning on the south.

Staff Planner: Adella Gallegos, Associate Program Planner

Attachments: 1. Application
2. Land Use Map

Bernalillo County Departments and other interested agencies reviewed this application from 8-29-06 to 9-11-06. Agency comments were used in preparation of this report, which being on page 11.

AGENDA ITEM NO.: 19
County Planning Commission
October 4,2006

CZ-60015 M2 Realty, agent for Hubbell/Wilson Trust, requests approval of a zone map amendment from A-1 to C-1 on Tract 311, Town of Atrisco Grant, located east of Coors Boulevard between Bridge Boulevard and Airport Road, containing approximately 5.81 acres. (L-10)

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding Zoning & Land Uses

Site	Zoning	Land Use
	A-1	Vacant
North	City O-1 and C-1 and County A-1	Vacant
South	C-1	Vacant
East	M-1	Mixed Industrial Uses
West	A-1	Vacant/County Detention Pond

BACKGROUND:

The Request

The applicant is requesting a zone map amendment from A-1 to C-1 for a 5.81-acre tract of land located at the southeast corner of Coors and Bridge Boulevards.

The applicant maintains that the existing zoning is inappropriate due to significant changes in the neighborhood and community conditions in the area since the original zoning and that the requested zoning would fill a demand for services that have risen due to the explosive growth experienced in the area.

Surrounding Land Use and Zoning

The site is currently vacant and located at the southeast corner of Coors and Bridge Boulevards SW. The site is surrounded by C-1 zoning on the south, M-1 zoning with mixed industrial uses on the east and City O-1 and C-1 zoning on the north. Coors Boulevard separates the site from A-1 zoned property to the west that is owned by Bernalillo County and used as a detention pond to service the Amole Del Norte Diversion Channel. The abutting M-1 zoning was approved in June 1976 (CZ-76-20) and December 1996 (CZ-96-48). A zone change from A-1 to C-1 for the property at the southwest corner of Tower Road and Coors Boulevard (CZ-50008) and a zone change from R-1 to M-1 at 3200 Bridge Boulevard (CZ-60010) are the most recently approved by the Board of County Commissioners.

APPLICABLE PLANS AND POLICIES:

Albuquerque/Bernalillo County Comprehensive Plan

The site is located in the Developing Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan. The Goal for this land use area is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities with the metropolitan area and which offers a variety and maximum choice in housing, transportation, work areas and life styles, while creating a visually pleasing built environment.

Policy a states that the Established and Developing Urban Areas shall allow a full range of urban land uses, resulting in an overall gross density of up to five dwelling units per acre.

Policy d states that the location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources and resources of other social, cultural, or recreational concern.

Policy e states that new growth shall be accommodated through development of areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be assured.

Policy g states that development shall be carefully designed to conform to topographical features and include trail corridors in the development where appropriate.

Policy i states that employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

Policy j states that where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- In larger area wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.
- In free standing retailing and contiguous storefronts along streets in older neighborhoods.

Policy k states that the land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation operations.

Policy l states that quality and innovation in design shall be encouraged in all new development design shall be encouraged which is appropriate for the plan area.

Policy m states that urban and site design, which maintains and enhances unique vistas and improves the quality of the visual environment, shall be encouraged.

Air Quality

The Goal is to improve air quality to safeguard public health and enhance the quality of life.

Policy g states that pollution from particles shall be minimized.

- Use vegetation, landscaping and other erosion control techniques to minimize dust pollution especially from construction sites.
- Modify the Development process manual to expand requirements for topsoil disturbance permits and dust control plans for excavations greater than $\frac{3}{4}$ acre; monitor and strictly enforce the existing regulations regarding airborne particulates.

Southwest Area Plan (SWAP)

The site is located in Residential Area Five of the Southwest Area Plan.

Policy 26 (h) allows up to nine dwelling units per net acre in Residential Area 5, when city water and sewer services are available.

Policy 12 states that heavy industrial and commercial traffic shall be limited in village centers and residential areas to enhance residential stability, respect the history and integrity of the

area, and promote neighborhood scale (CN zoning) economic development.

Policy 19 states that all development and subdivisions shall be required to limit the level of water runoff generated from new construction or paving in order to reduce velocity and volume of runoff, and to ensure the viability and capacity of down stream facilities.

Policy 25 states the County and City shall stabilize residential zoning and land use in the plan area.

Policy 30 states standards for outdoor lighting shall be implemented to ensure that their use does not interfere with the night sky environment and unnecessarily adjacent properties.

a. Outdoor light poles within residential areas should not exceed sixteen (16) feet in height above existing grade; when mounted on buildings or structures, fixtures should not exceed twelve (12) feet from existing grade.

b. Encourage landscaped areas within lots to break up large expanses of paved area and enhance pedestrian access.

Policy 40 encourages the location of newly developing neighborhood scale commercial and office use be within their defined village centers.

Policy 41 balance economic development and the quality of life for existing communities as well as for newly developed areas.

Policy 44 promotes small-scale community commercial centers, which foster a market place atmosphere; improve profit for small businesses; provide jobs; and circulate dollars within the area economy to enhance a community environment and meet retail, recreational and service needs of area residents.

Albuquerque/Bernalillo County Zoning Ordinance

Resolution 116-86 defines criteria for evaluating Zone Map changes and Special Use Permit applications.

- A. A proposed land use change must be found to be consistent with the health, safety, and general welfare of the residents of the County.
- B. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a land use change.
- C. A proposed land use change shall not be in significant conflict with adopted elements of the Comprehensive Plan of other Master Plans and amendments thereto including privately developed area plans, which have been adopted by the County.
- D. Stability of the land use and zoning is desirable; therefore, the applicant must provide a sound justification for land use change. The burden is on the applicant to show why the change should be made.

- E. The applicant must demonstrate that the existing zoning is inappropriate because:
 - 1. There was an error in the original zone map.
 - 2. Changed neighborhood or community conditions justify a change in land use or
 - 3. A different use category is more advantageous to the community as articulated in the Comprehensive Plan or other County Master Plan, even though (1) and (2) above do not apply.
- F. A land use change shall not be approved where some of the permissive uses in the land use change would be harmful to adjacent property, the neighborhood or the community.
- G. A proposed land use change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the County may be:
 - 1. denied due to lack of capital funds; or
 - 2. granted with the implicit understanding that the County is not bound to provide the capital improvements on any special schedule.
- H. Location on a collector or major street is not itself sufficient justification of apartment, office, or commercial zoning.
- I. A zone change request which would give a zone different from the surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
 - 1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted land use plan; or
 - 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.
- J. A zone change request which would give a zone different from the surrounding zoning to a strip of land along a street is generally called a "strip zoning." Such a change of zone may be approved only when:
 - 1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 - 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone due to traffic or special adverse uses nearby.

Section 19 Landscaping and Buffer Landscaping Regulations

Where a nonresidential zone which is hereafter developed for a business purpose abuts a conforming residential use, special landscaping buffer is required to minimize noise, lighting and sight impact of the nonresidential activities in the residential area.

A. Landscaping and buffer landscaping will be required in all zones for office, commercial, industrial, and multifamily residential uses; R-1, A-1, A-2 and M-H residential uses are exempt.

1. Sites of one acre or less:

- a. There shall be a landscaped setback along all streets of no less than ten feet.
- b. There shall be a landscaped buffer of six feet between single-family residential uses and office, commercial, industrial, and multifamily residential uses.
- c. Fifteen percent of all paved areas shall be landscaped. The landscaped setback may contribute toward this requirement.

3. Sites one acre and up to five acres. There shall be a landscaped setback along all streets of not less than 15 feet. All other requirements are the same as 1.b and 1.c above.

ANALYSIS:

Surrounding Land Use and Zoning

The applicant is requesting a zone map amendment from A-1 to C-1 for the development of neighborhood commercial uses for this area of the South Valley.

The site is currently vacant and located at the southeast corner of Coors and Bridge Boulevards SW. The site is surrounded by vacant C-1 zoned property on the south, M-1 zoning developed with mixed industrial uses on the east. The properties north of Bridge Boulevard are within the Municipal Limits and zoned O-1 and C-1. These parcels are currently undeveloped. Coors Boulevard separates the site from A-1 zoned property to the west that is owned by Bernalillo County and used as a detention pond to service the Amole Del Norte Diversion Channel. The Land Use Map reflects Airport Drive and Eucariz as rights-of-way along the southern and northern boundaries of the property; however, these rights-of-way do not physically exist at this time.

Although the site is located in the unincorporated area, the Tower/Unser Sector Development Plan was adopted only by the City and recommends M-1 zoning.

Under C-1 zoning, there are some permissive uses, such as a convenience store with package liquor sales, which may have an adverse affect on the overall community. Consequently, the location of the site is not within any densely developed residential community. There is currently undeveloped C-1 zoning in the immediate vicinity of the property. It appears that an additional C-1 zone maybe most appropriate for this site because of its proximity to the

surrounding M-1 zoning and the growing demand for neighborhood commercial services in this part of the South Valley. The proposed C-1 zoning could also function as a transition between the adjacent and nearby mixed industrial uses.

Plans

Albuquerque Bernalillo County Comprehensive Plan

This site is located in the Developing Urban Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan. The principal Goal for the Developing Urban Area of the Comprehensive Plan addresses the creation of a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas and lifestyles, while creating a visually pleasing built environment.

The request appears to facilitate the Comprehensive Plan Goal and the following associated policies in that the uses allowed under the C-1 zoning designation will be keeping with neighborhood values and are of a neighborhood commercial nature thereby assuring the integrity of the existing neighborhoods. The site is also currently vacant and is contiguous to C-1 zoning and to existing urban facilities and services.

Land use Policy a states that the Developing Urban Areas shall allow a full range of urban land uses, resulting in an overall gross density of up to five dwelling units per acre. Further, Policy d establishes that the location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources and resources of other social, cultural, or recreational concern.

Land use Policy e calls for new growth to be accommodated through development of areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of the existing neighborhoods can be assured.

Land use Policy l call for employment and service uses to be located so as to complement residential areas and be sites to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

Southwest Area Plan

The site is located in Residential Area 5 of the Southwest Area Plan, which recommends nine (9) dwelling units per acre in this area of the South Valley.

Although the site is not within a defined village center as called for in the Southwest Area Plan, Policy 41 calls for balancing economic development and the quality of life for existing communities as well as for newly developed areas.

Zoning Ordinance

This request is consistent with Resolution 116-86 of the Zoning Ordinance. The request is not a "spot zone" as there exists C-1 zoned property directly to the south of the site. In addition, 'changed neighborhood conditions' can be used to justify this change. There has been a clear

trend towards mixed industrial uses in the area of the site, and C-1 zoning can serve as a transition between the adjacent lands with existing mixed industrial uses.

Agency Comments

Since this is a zone change request, the following agency comments will need to be addressed at the time of building permit. The State Department of Transportation has commented that any work along the right of way will require a traffic control plan. The Mid Region Council of Governments commented that Bridge Boulevard is designated a minor arterial with a right of way of 86 feet and as having on-street bicycles lanes that will would require coordination with the appropriate agencies. The Public Works Division has commented that a Traffic Impact Analysis will be required and that all access issues regarding Bridge Boulevard would need to be addressed with the City of Albuquerque.

Analysis Summary

Zoning	
Resolution 116-86	There is existing C-1 zoning to the south of the site and the proposed C-1 zoning could function as a transition between the adjacent land and the existing mixed industrial uses.
	C-1 zoning is appropriate for the area given the changed neighborhood conditions
	Proposed land use would be more advantageous to the community in that it provides neighborhood scale services to this particular area of the South Valley.
Plans	
Comprehensive Plan	Consistent with Developing and Established Urban designation for mixed uses.
Southwest Area Plan	The proposed use could balance economic development and the quality of life for existing communities as well as for newly developed areas and would not interfere with the integrity and character of the area.
Requirements	
Environmental Health	Submittal of a Water and Sewer Availability Statement approved by the Water Utility Authority.
Public Works	A Traffic Impact Analysis will be required prior to development

Conclusion

The request for a zone change to allow neighborhood commercial uses seems reasonable given the changes that have taken place away from agricultural/residential land use and towards a trend of mixed industrial uses currently adjacent to, surrounding the site and in the general vicinity. Due to the explosive growth that has occurred and continues on the West Side, the proposed request would provide the ability to fill a demand for services that are needed to serve this area of the South Valley. The requested C-1 zoning would be consistent with adjacent C-1 zoning to the south and would be more appropriate for the site to function as a transition between the existing mixed industrial uses and the adjacent properties.

FINDINGS:

1. This is a request for a zone map amendment from A-1 to C-1 on Tract 311, located east of Coors Boulevard between Bride Boulevard and Airport Drive SW, containing approximately 5.81 acres.
2. The property is located in the Developing Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan and the Southwest Area Plan.
3. The request does not constitute a "spot zone" as there is existing C-1 zoning to the south of the site and the proposed C-1 zoning will function as a transition between the adjacent and surrounding nearby industrial uses.
4. The request is consistent with Resolution 116-86 in that changed neighborhood conditions have occurred in the immediate area of the site away from agricultural/residential uses, in favor of non-residential (mixed industrial and commercial) uses.
5. This request is not in significant conflict with the elements of the Southwest Area Plan, as articulated in Policies 40 and 41, in that the request is for community commercial uses that would provide neighborhood scale services to this area.
6. This request is consistent with the health, safety, and general welfare of the residents of the County.

RECOMMENDATION:

Approval, based on the above Findings.

Adella Gallegos
Associate Program Planner

DEPARTMENT COMMENTS

Building Department:

No Comments Received

Environmental Health:

City of Albuquerque water and sewer appears to be available to this property, where applicable availability shall be coordinated with the Water Utility Authority. A water and sewer availability statement will be required. Please contact the Water Utility Authority at 924-3989. No adverse opinion on this platting or planning submittal.

Fire:

No comments received.

Zoning Administrator:

Site falls within Tower/Unser Sector Development Plan.

The stated purpose of the C-1 zone is to provide suitable sites for office, service, institutional, and limited commercial uses to satisfy the day-to-day needs of nearby residential areas and to minimize any adverse effect on nearby residential development. This zone allows for a variety of commercial activities, and incorporates permissive uses of the O-1 and R-1 zones.

Some of the more intense uses allowed permissively in the C-1 zone include a garage for minor auto repair, commercial animal establishment (kennel, breeders, animal hospitals, etc.), off-premise signs, a package liquor store, and/or a restaurant with beer & wine service. Conditional use approval could authorize apartments, multiple single-family dwelling units, and mixed-use developments.

Buildings or structures in the C-1 zone are generally limited to a height of 26 feet, but may exceed that limitation if designed to meet the 45-degree allowance as described in the R-2 zone (Sec. 10.C.). Additionally, a 30-foot front yard and 15-foot rear yard setback distance is required. There is no minimum lot size requirement.

Future development, or activities which are in existence and would continue if the request were to be approved, are subject to other applicable zoning regulations, including off-street parking and landscaping standards.

Zoning Enforcement Manager:

Based on the above comments there is no adverse comments at this time. There is no violation on this property.

Public Works:

DRAN:

1. This property is subject to Bernalillo County Code Chapter 38 for flood damage prevention and storm drainage.

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2. A site plan for the placement of the facility is required for review and determination of drainage requirements.
3. This property is subject to the National Pollution Elimination System as required by the Bernalillo County Code Chapter 38 Section 147. A Storm Water Pollution Prevention Plan (SWPPP) is required prior to full development.

DRE:

1. A Traffic Impact Analysis will be required prior to development.
2. Bridge Boulevard is classified as a Minor Arterial adjacent to this property and is under the jurisdiction of the City of Albuquerque. All access issues regarding Bridge Boulevard will need to be addressed with the City of Albuquerque.

Parks & Recreation:

No Comments received.

Sheriff's:

No comments received.

COMMENTS FROM OTHER AGENCIES

MRGCOG:

Bridge Blvd. is designated to a minor arterial with a right of way of 86 feet in the Long Range Roadway System. Furthermore, Bridge Blvd. is designated as having on street bicycle lanes in the Long Range Bikeway System. Coordination with appropriate County agencies should be sought to insure conformity with these adopted policies of the Metropolitan Transportation Board.

AMAFCA:

No comment.

City Open Space:

No comments received.

City Development Services Division:

No adverse comments.

City Public Works: (Transportation Development)

No adverse comments, but keep in mind any proposed development fronting on Bridge will need to follow City of Albuquerque requirements for infrastructure design.

City Transit:

No comments received.

APS:

The requested zone change from a-1 to C-1 will have no adverse impacts to the APS district.

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NMDOT:

Any work within the State right of way, requires a traffic control plan.

NEIGHBORHOOD ASSOCIATIONS:

South Valley Alliance of Neighborhoods

South Valley Coalition of Neighborhoods

Alamosa Neighborhood Association

Stinson Tower Neighborhood Association